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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,826	03/24/2004	Jeffrey J. Jonas	SVL920050505US2	4343
45729 7590 09/28/2009 GATES & COOPER LLP 6701 CENTER DRIVE WEST SUITE 1050 LOS ANGELES, CA 90045				
EXAMINER				
YALEW, FIKREMARIAM A				
ART UNIT		PAPER NUMBER		
2436				
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09/28/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/807,826

Applicant(s)

JONAS ET AL.

Examiner

Fikremariam Yalew

Art Unit

2436

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The office action is in reply to an amendment filed on 05/27/2009. Claims 1, 16 have been amended. Claims 1-30 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7,10-13,16-22, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al(hereinafter referred as McDonnell) US 7,512,234 B2 in view of Kubo et al(hereinafter referred as Kubo) US Patent No 7,007168 B2.

5. As per claims 1, 16: McDonnell discloses a method/computer readable medium for identification processing and comparison of location coordinate data in a confidential and anonymous manner comprising: receiving, in a computer, a plurality of fixed coordinates, represents a location of an item more than one process (See col.9 lines 44-47(i.e., obtain location data)); utilizing, in the computer, a cryptographic algorithm to process the plurality of fixed coordinates forming a processed data (See col.6 lines 49-56 and col.9 lines 56-60(i.e., encrypt location data)).

McDonnell does not explicitly teach comparing, in the computer, the encrypted fixed coordinates of the processed data to at least a portion of secondary data that comprises one or more encrypted fixed coordinates to determine whether a relationship exists between the encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of the secondary data.

However Kubo teaches comparing the encrypted fixed coordinates of the processed data to at least a portion of secondary data that comprises one or more encrypted fixed coordinates to determine whether a match exists between the encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of the secondary data (See col. 10 lines 18-27, col. 16 lines 39-67 and Figs18A, Fig 23 steps S 193-195)

Therefore it would have been obvious to one ordinary skill in the art at that time the invention was made to employ the teachings method of Kubo within Denning method in order to provide delivering encrypted information in a communication network using location data.

6. As per claims 2,17: the combination of McDonnell and Kubo teach further comprising the step of receiving data representing the location of the item and determining the plurality of fixed coordinates that represent the location of the item prior to receiving the plurality of fixed coordinates (See McDonnell col.3 lines 41-51 and col.9 lines 44-47).

7. As per claims 3, 18: the combination of McDonnell and Kubo teach the method further comprising the step of storing the processed data in a database (See col.11 lines 25-39).

8. As per claims 4,19: the combination of Denning and Kubo teach the method wherein the step of comparing the processed data to at least a portion of secondary data includes the

secondary data comprising data previously stored in a database (See Kubo col. 10 lines 18-27 and Figs 18A, Fig 23 steps S 193-195).

9. As per claims 5, 20: the combination of Denning and Kubo teach the method further comprising the step of matching the processed data to the at least a portion of secondary data that is determined to reflect an identical one of the plurality of fixed coordinates (See Kubo col. 10 lines 18-27 and Figs 18A, Fig 23 steps S 193-195).

10. As per claims 6, 21: the combination of Denning and Kubo teach the method further comprising the step of issuing a signal based upon a user-defined rule (See McDonnell col. 8 lines 16-29).

11. As per claims 7, 22: the combination of Denning and Kubo teach the method wherein the step of determining the plurality of fixed coordinates that represent the location occurs in relation to a grid (See Kubo col. 19 lines 54-58).

12. As per claims 10, 25: the combination of Denning and Kubo teach the method wherein the grid is a multi-dimensional grid (See Kubo col. 19 lines 54-58).

13. As per claims 11, 26: the combination of Denning and Kubo teach the method wherein the grid is based upon a user-defined criterion (See Kubo col. 19 lines 54-58).

14. As per claims 12, 27: the combination of Denning and Kubo teach the method wherein the user-defined criterion corresponds with quantity (See Kubo col. 19 lines 54-58).

15. As per claims 13, 28: the combination of Denning and Kubo teach the method wherein the user-defined criterion corresponds to time (See Kubo col. 14 lines 30-40).

16. Claims 14-15, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al (hereinafter referred as McDonnell) US 7,512,234 B2 in view of Kubo et

al(hereinafter referred as Kubo) US Patent No 7,007168 B2 and further in view of Denning et al(hereinafter referred as Denning) US 7,143,289 B2.

17. As per claims 14, 29: the combination of McDonnell and Kubo teach claim 1 as recited above. McDonnell and Kubo does not explicitly teach the method wherein the step of determining the plurality of fixed coordinates that represent the location includes the step of determining a nearest of the plurality of fixed coordinates. However Denning teaches the method wherein the step of determining the plurality of fixed coordinates that represent the location includes the step of determining a nearest of the plurality of fixed coordinates (See Denning Fig steps 504,143,140 and col. 7 lines 35-45). Therefore it would have been obvious to one ordinary skill in the art at that time the invention was made to employ the teachings method of Denning method within McDonnell and Kubo method in order to provide delivering encrypted information in a communication network using location data.

18. As per claims 15,30: the combination of McDonnell-Kubo-Denning teach the method wherein the step of determining a plurality of fixed coordinates that represent the location includes the step of determining the plurality of fixed coordinates surrounding the location (See Denning Fig steps 504,143,140 and col. 7 lines 35-45).

19. **Claims 8-9,23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al(hereinafter referred as McDonnell) US 7,512,234 B2 in view of Kubo et al(hereinafter referred as Kubo) US Patent No 7,007168 B2 and further in view of Clapper(US Pub No 2003/0108202)**

20. As per claims 8-9 and 23-24: the combination of McDonnell and Kubo teach claims 7, 22 as recited above. The combination of McDonnell and Kubo do not explicitly teach the method

wherein the grid comprises a uniform grid and non-uniform grid. However Clapper discloses the method wherein the grid comprises a uniform and non-uniform grid (See 0018). Therefore it would have been obvious to one ordinary skill in the art at that time the invention was made to modify the teaching method of Clapper within McDonnell and Kubo method in order to determine location.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fikremariam Yalew whose telephone number is 5712723852. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4195.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2436
09/24/2009

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2436